APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,650	06/26/2003	Daryl Gazzard	CING02-023-US	4033

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EXAMINER
RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/603,650	GAZZARD, DARYL
	Examiner	Art Unit	
	Melur Ramakrishnaiah	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 June 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10-22-2003</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-3, 5-6, 7-8, 10-14 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rodriguez et al. (US 2002/0068599A1, hereinafter Rodriguez) in

view of Tanaka et al. (US PAT: 6,671,509, filed 6-25-1999, hereinafter Tanaka) and

MCgee et al. (WO 03/047164).

Regarding claim 1, Rodriguez discloses telecommunication system for providing

information service to a subscriber in a network comprising: a mobile telephone network

including storage area (160, fig. 1) for storing a first database, the first database

including data for providing the information services, and a MS (100, fig. 1) including a

second database (reads on directories 172, fig. 1), wherein mobile telephone network

transmits the data to the MS, the MS populates the second database with the data

transmitted from the mobile telephone network, and MS provides the information

services to the subscriber using the second database in response to a request from the

subscriber (figs. 1-2; paragraphs: 0040-0041; 0046).

Regarding claim 7, Rodriguez discloses a telecommunication system for

providing location based services in a network comprising: a mobile telephone network

including storage area (160, fig. 1), and a MS in communication with the BTS (not

shown), mobile telephone network transmits data of the database to the MS, the MS

then populates its database (reads on directories 172, fig. 1), with the data transmitted

from the mobile telephone network, and the MS provides the location based services

using its database in response to a request from a subscriber (figs. 1-2; paragraphs:

0040-0041; 0046).

Regarding claim 10, Rodriguez discloses for providing information services to a

subscriber in a network comprising: providing a storage area in a mobile telephone

network, modifying the storage in a mobile telephone network to include a first database

(160, fig. 1), the first database including data needed to provide the information

services, wherein mobile telephone network transmits data to a MS (100, fig. 1)

including a second database (reads on directories 172, fig. 1), the MS populates the

second database with the data and provides the information services to the subscriber

using the second database (figs. 1-2; paragraphs: 0040-0041; 0046).

Rodriguez differs from the claimed invention in that he does not specifically

teach: database in BTS for transmitting information to the MS, a central application

managing databases, the database including information needed to provide the location

based services and wherein the central application accesses and modifies the storage

in BTS and GPRS network to provide services.

However, Tanaka teaches the following: database (reads on memory 9, fig. 1) in

base station for transmitting information to the MS (12, fig. 1), a central application

(reads on center providing information to base station) managing databases, the

database including information needed to provide the services and wherein the central

application accesses and modifies the storage in the base station (col. 6 lines 45-65),

and Mcgee teaches: GPRS network to provide services to a MS (fig. 1, page 5, line 24 –

page 6, line 9).

Thus, it would have been obvious to one of ordinary skill in the art at the time

invention was made to modify Rodriguez's system to provide for the following: database

in BTS for transmitting information to the MS as this arrangement would facilitate to

provide services to a MS customer from a database in the base station as taught by

Tanaka, thus localizing the services; a central application managing databases, the

database including information needed to provide the location based services, wherein

the central application accesses and modifies the storage in BTS as this arrangement

would facilitate to obtain updated information from a center so that MS users can be

provided with latest updated information to provide services as taught by Tanaka and

GPRS network to provide services as this arrangement would provide another well

known network to provide services to the users as taught by Mcgee.

Rodriguez differs from claim 2 in that he does specifically teach: storage area is

accessed and modified by a central application managing the first database.

However, Tanaka teaches the following: storage area is accessed and modified

by a central application managing the first database (col. 6 lines 45-47).

Thus, it would have been obvious to one of ordinary skill in the art at the time

invention was made to modify Rodriguez's system to provide for the following: as this

arrangement would facilitate to obtain updated information from a center so that MS

users can be provided with latest updated information to provide services as taught by

Tanaka.

Regarding claims 3, 5, 6, 8, 12, 13-14, Rodriguez teaches the following: the BTS transmits the data in a first database (160, fig. 1) to more than one MS, MS populates the second database (reads on directories 172, fig. 1) while in idle mode, information services provide information related to a specific geographic location of the subscriber, MS provides information without connecting to the GPRS network (figs. 1-2; paragraphs: 0040-0041; 0046).

3.   Claims 4 and 9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez in view of Tanaka and MCgee as applied to claims 1, 9 above, and further in view of Rimpelaet et al. (US PAT: 6,697,604, filed 2-18-2000, hereinafter Rimpelaet).

The combination differs from claims 4, 9, 11 in that it does not specifically teach: data is transmitted on dedicated PDCH (packet data channel) in idle packet frames.

However, Rimpelaet discloses method for testing the functioning of radio apparatus, and mobile station which teaches: data is transmitted on PDCH (packet data channel) in idle packet frames (col. 7 lines 15-25).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: data is transmitted on dedicated PDCH (packet data channel) in idle packet frames as this arrangement would provide one method, among many possible methods, for transmitting data as taught by Rimpelaet.

4.   Claims 15, 18, 20, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez in view of Mcgee and Sebire (US PAT: 7,145,896, filed 10-12-2000).

Regarding claim 15, Rodriguez discloses a method for providing information services to a subscriber in a network comprising: monitoring a dedicated channel for data packets of a first database (160) transmitted from a BTS (not shown) wherein the first database includes data needed to provide information services, downloading the data packets of the first database, populating the second database (reads on directories 172, fig. 1) in the MS with downloaded data packets, and providing information services to the subscriber using the second database (figs. 1-2; paragraphs: 0040-0041; 0046).

Rodriguez differs from the claimed invention in that he does not specifically teach: attaching a MS to a GPRS network activating a PDP context, deactivating the PDP context, monitoring a dedicated PDCH for data packets, receiving TFI reserved for downlink data.

However, Mcgee teaches the following: attaching a MS to a GPRS network (fig. 1, page 5 lines 24-25), activating a PDP context (page 9 lines 15-25), deactivating the PDP context (page 10 lines 14-17), monitoring a dedicated PDCH for data packets (page lines 27-29); Sebire teaches: receiving TFI reserved for downlink data (col. 10 lines 46-48).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Rodriguez's system to provide for the following: attaching a MS to a GPRS network activating a PDP context, deactivating the PDP context, monitoring a dedicated PDCH for data packets as this arrangement would facilitate to receive services provided by GPRS network as taught by Mcgee; receiving TFI

reserved for downlink data as this arrangement would facilitate to identify the
connection to send data to the mobile station as taught by Sebire.

Regarding claims 18, 20, 24 Rodriguez teaches the following: BTS (not shown)
transmits the data packets of the first database (160, fig. 1) to more than one MS (100,
fig. 1), the second database (reads on directories 172, fig. 1) in the MS is populated
while the MS is in idle mode, information services provide information related to a
specific geographic location of the subscriber (figs. 1-2; paragraphs: 0040-0041; 0046).

5.   Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Rodriguez in view of Mcgee and Sebire as applied to claim 15 above, and further in
view of Tanaka.

The combination differs from claims 16-17 in that it does not disclose: the first
database is stored in storage area in the BTS, the storage area in the BTS is accessed
and modified by an application managing the first database.

However, Tanka teaches the following: : the first database is stored in storage (9,
fig. 1) area in the base station (BS), the storage area in the BS is accessed and
modified by an application managing the first database (fig. 1, col. 6 lines 45-56).

Thus, it would have been obvious to one of ordinary skill in the art at the time
invention was made to modify the combination to provide for the following: the first
database is stored in storage area in the BTS as this arrangement would facilitate to
provide services to a MS customer from a database in the base station as taught by
Tanaka, thus localizing the services; the storage area in the BTS is accessed and
modified by an application managing the first database as this arrangement would

facilitate to obtain updated information from a center so that MS users can be provided

with latest updated information to provide services as taught by Tanaka.

6.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez in view of Mcgee and Sebire as applied to claim 15 above, and further in

view of Rimpelaet).

        The combination differs from claims in that it does not specifically teach: data is

transmitted on dedicated PDCH (packet data channel) in idle packet frames.

        However, Rimpelaet discloses method for testing the functioning of radio

apparatus, and mobile station which teaches: data is transmitted on PDCH (packet data

channel) in idle packet frames (col. 7 lines 15-25).

        Thus, it would have been obvious to one of ordinary skill in the art at the time

invention was made to modify the combination to provide for the following: data is

transmitted on dedicated PDCH (packet data channel) in idle packet frames as this

arrangement would provide one method, among many possible methods, for

transmitting data as taught by Rimpelaet.

7.   Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez in view of Mcgee and Sebire as applied to claim 15 above, and further in

view of Raith (US PAT: 6,385,461).

        The combination differs from claims 21-22 in that while it teaches activating PDP

context (page 9 lines 15-27 of Mcgee), it does teach setting up ciphering information,

downloading packets using ciphering information.

However, Raith teaches the following: receiving decryption key and using it for reading information (col. 7 lines 1-13).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: setting up ciphering information, downloading packets using ciphering information as this arrangement would provide secure data transmission as is well known in the art.

8.   Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez in view of Mcgee and Sebire and Raith as applied to claim 22 above, and further in view of Bertrand et al. (US PAT: 6,687,252, filed 6-11-2000, hereinafter Bertrand).

The combination differs from claim 23 in that it does not specifically teach: step of reinitiating the PDP context to receive another ciphering key if the MS fails to decipher contents of the data packets.
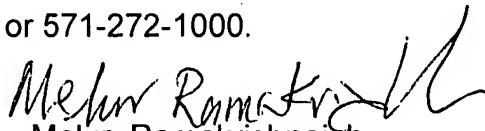
However, Bertrand discloses dynamic IP address allocation system and method which teaches the following: step of reinitiating the PDP context to receive another IP address for use by the mobile station (fig. 1, col. 5 lines 52-67).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination by using teachings of the Bertrand to provide for the following: step of reinitiating the PDP context to receive another ciphering key if the MS fails to decipher contents of the data packets in order to successfully decrypt the received data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melur Ramakrishnaiah
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Art Unit 2614